

The following document can be found in the Planning Commission Packet for the Sept. 26, 2011 meeting. I have added my comments in red below the passage that I am referencing.
Carol Lindstrom

From: Planning & Zoning and Public Relations Departments
To: Christiansburg Town Council; Christiansburg Planning Commission
Re: Planning Commission's request to hold separate public hearings

In light of the Christiansburg Planning Commission's request to hold separate public hearings, the Planning & Zoning and Public Relations Departments request that Town Council consider the following in making a decision regarding this matter:

- While some Planning Commission members are requesting this separation of public hearings so they are no longer obligated to attend Council meetings, it creates an additional burden on applicants and members of the general public to attend two separate meetings in order to address both public bodies
 - In actuality, having separate meetings provides citizens with two opportunities to present their concerns. For citizens who have conflicts in their schedules, having the two meetings makes it more likely that the citizens will have an opportunity to have their say. The role of the Planning Commission and that of Town Council are different. The Planning Commission's role is to evaluate proposals for consistency with the Comprehensive Plan. Citizens and the party making a proposal have an opportunity to work with the Planning Commission to come up with reasonable solutions to problems arising from the proposal. The Planning Commission then makes a recommendation to the Town Council. The Town Council, on the other hand, has a proposal with whatever Conditions and Proffers are reported and listen to citizen comments about that proposal. Then, Town Council thinks about the proposal, discusses it and gives an up or down vote on the proposal. Town Council has the option of voting against that recommendation.
- Applicants and/or the general public may be confused in understanding there are two separate public hearings to attend if they wish to address everyone with authority to make a recommendation or decision
 - Citizens and applicants do not always understand the system as it is currently implemented. That simply shows that the Town needs to be proactive in educating the public and to make clear the roles and responsibilities of the Town Council and the Planning Commission. A simple checklist should be available to applicants that give them a clear, easily understood description of the process so that there is no confusion. It was abundantly clear that the current process had not been made clear to the CUP applicant at the Sept. 12th Planning Commission Meeting. (see video here)
- There is a possibility that the public will attend one meeting and not the other, so the same information is not being considered by both Town Council and Planning Commission
 - Most other Virginia jurisdictions hold separate meetings. They seem to manage quite well with that format. It is a simple matter for the Planning Commission to provide notes to Town Council on statements made by citizens, or to advise citizens to provide written responses to Council Members or the Planning Department. The duty of Town Council is to take the Planning Commission's recommendation under advisement and to listen to the public before making their decision. Of course, that would require Planning Commission

Minutes be managed such that Town Council had a copy of the meeting minutes for review.

- Town Council's vote is binding; Planning Commission public hearings may not be attended because their recommendation is not binding.
 - If people understand the difference between the two and choose not to participate, that is the right of citizens. The Town has a responsibility to provide citizens with information on the process. When written notices go out, a short paragraph can easily be added that notes the two separate meetings and how they differ.
- Town Council and Planning Commission will need the opportunity to review meeting minutes and any recordings of the public hearings, if held separately.
 - While this may be good practice, it is not a requirement. The recommendation of the Planning Commission takes into account what they have heard from citizens. Then the Town Council is provided with the Planning Commission's recommendation and citizen input. This is augmented by the fact that one of the Town Council Members is assigned to the Planning Commission and will have the information to share with Council. Furthermore, the person presenting the recommendation to Town Council is available to answer any questions.
- Will the Town Attorney need to be present at both public hearings?
 - Most jurisdictions only have their Attorney present upon request. As the author of this document clearly noted earlier, the Planning Commission is an advisory group, they do not make legal decisions. They may, upon occasion, require input from the Town Attorney on a matter, but that is on an as needed basis.
- Will Planning Commission public hearings need to be recorded by the videographer? If so, who will pay for this extra cost?
 - Some jurisdictions decide to video their Planning Commission Meetings, some do not. There is no legal requirement that either the Planning Commission or Town Council video their meetings.

The Town has made notable strides in the past two years toward increasing and encouraging public input and engagement. We believe that separating the meetings is a step backwards because it places additional burden on our citizens to attend two separate meetings if they wish to communicate directly with both Town Council and the Planning Commission. It also creates a significant opportunity for both public bodies to make decisions without all available information if input is only received at one hearing or the other.

Providing citizens with two opportunities to speak on an issue is a further move towards open government and will put the Town of Christiansburg on par with other Government agencies throughout the State. Citizens are not required to attend meetings in order to express their concerns. Written correspondence has been the primary source of communication here for decades. Telephone calls to various Council Members, Planning Commission Members, and town staff are all valid opportunities for communication as well. Neither public body will be without key information IF those responsible for conveying information do their jobs correctly and make sure that there is documentation of the meetings. Meeting Minutes, reports from the Council representative to the Planning Commission, the person representing the Planning Commission when giving the Planning Commission's recommendation, all have the responsibility to insure adequate information is provided for a decision already. They simply need to continue performing those duties.

We believe the better solution may be to preserve the use of joint public hearings by Town Council and the Planning Commission. If joint public hearings do continue, the Planning & Zoning Department would like to hold additional trainings with the Planning Commission regarding the use of work sessions to ask detailed questions and limiting commentary/questions at public hearings in order to simply receive input from the general public. The Planning & Zoning Department also plans to encourage Planning Commission members to communicate and ensure the Commission is adequately represented at joint public hearings, while allowing members to occasionally miss hearings if the need arises.

The rationale offered here is precisely why the Planning Commission needs to have its own Public Hearing. The role and training of the Planning Commission is different from that of the Town Council. The Planning Commission often needs to ask questions that pertain to specific sections of the Comprehensive Plan. Additionally, if new information comes up at the Joint Public Hearing, the Planning Commission may well need to ask questions in order to obtain clarification. If this is done in their own meetings, then Town Council will not be inconvenienced.

An additional benefit is that the process proposed and discussed at the Planning Commission Meeting on Sept. 12, 2011, would establish set days (2 days per month) which would make Planning Commission Meetings predictable. Thus, members of the Commission and the general public would have specific dates in order to make adjustments to their schedules.

Thank you for your time and consideration regarding this matter.

Another matter, which was not discussed in this document is that changing to this set schedule would also reduce the number of meetings Planning Commissioners are required to attend. This results in a net savings of \$25/member. In recent months, there have been as many as 4 meetings in one month (2 regular and 2 Joint Public Hearings).. With 9 members at \$25/member, that comes to a cost of \$225/meeting. Four meetings would be \$900. If there are only 3 meetings, the cost is \$675 and for 2 meetings (as proposed) the cost would only be \$450. This should offset the cost of publicizing a Public Hearing for the Planning Commission.

In summary, this is good open government practice because it provides for more public input and more opportunities for public participation. It provides the benefit of allowing the Planning Commission an opportunity to work with developers and citizens to try to find the most agreeable option, resulting in a package being presented to Town Council that is more likely to engender support by the public rather than creating an adversarial environment. It also provides more opportunity for developers to make modifications so that their project is more likely to be well received.

There are videos of the Planning Commission Meetings where this was discussed: August 29, 2011 Parts 4 & 5, and September 12, 2011 Part 4. To hear the reasons for or against that were presented to the Planning Commission, take a few minutes to watch them.